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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/839,836 | 04/20/2001 | Cyriel Minkenberg | CH9-2000-0002 | 2043 |

7590 10/18/2004
Ronald L. Drumheller, Esq.
94 Teakettle Spout Road
Mahopac, NY 10541

EXAMINER

PHAM, BRENDA H

ART UNIT PAPER NUMBER

2664

DATE MAILED: 10/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/839,836

Applicant(s)

MINKENBERG, CYRIEL

Examiner

Brenda Pham

Art Unit

2664

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-21 have been examined.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-21 are rejected under *35 USC § 112, 2nd paragraph as being lack of* antecedent basis in the claims.

Claim 1 recites the limitation "said arriving data packets" in line 6 and 13, respectively. There is insufficient antecedent basis for this limitation in the claim.

Claim 7 recites the limitation "said arrangement" in line 13. There is insufficient antecedent basis for this limitation in the claim.

Claim 12 recites the limitation "said switching device" in lines 20 and 26, respectively. There is insufficient antecedent basis for this limitation in the claim.

Claim 18 recites the limitation "said switching device" in line 18. There is insufficient antecedent basis for this limitation in the claim.

Allowable Subject Matter

4. Claims 1-6, 11 and 12-17 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

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5. Claims 7-10 and 18-21 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

6. The following is a statement of reasons for the indication of allowable subject matter: the prior art made of record does not teach a switching arrangement for transporting data packet comprising the limitation of the input buffer comprises a demultiplexer for making each of the arriving data packets an entry into those of the input queues, which are identified in the packet destination information of the corresponding data packet, whereby each input controller is designed to allow simultaneous transmission of those data packets whose entries are located in different input queues and whose payload sections have identical content.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hoebeke et al (US 5,898,670) discloses a bursty traffic multiplexing arrangement and method for shaping and multiplexing bursty input flows.

McClure et al (US 5,787,086) discloses a virtual connection is sent from a source connected to the network to a node in the network wherein the virtual connection comprises a series of data cells comprising a header portion and a data portion. The virtual connection is transported across at least one communication link connecting the

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first node to a second node in the network. The first queue is dedicated to the virtual connection at each node in the network through which the signal passes.

Grenot et al (US 5,910,942) discloses a device regulate the flow of ATM cells within an ATM packet switch.

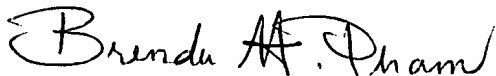
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brenda Pham whose telephone number is (571) 272-3135. The examiner can normally be reached on Monday-Friday from 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin, can be reached on (571) 272-3134.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

October 9, 2004

Brenda Pham

A handwritten signature in cursive script that reads "Brenda A. Pham". The signature is written in dark ink and is positioned below the typed name "Brenda Pham".